

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Keith Regier, on January 10, 2017 at 10:00 A.M., in Room 422 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Keith Regier, Chair (R)  
Sen. Jennifer Fielder, Vice Chair (R)  
Sen. Jen Gross (D)  
Sen. Steve Hinebaugh (R)  
Sen. Jedediah Hinkle (R)  
Sen. Margaret (Margie) MacDonald (D)  
Sen. Mary Moe (D)  
Sen. Scott Sales (R)  
Sen. Diane Sands (D)  
Sen. Nels Swandal (R)  
Sen. Chas Vincent (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Julianne Burkhardt, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SR 2, 1/4/2017  
Executive Action: SB 17-Do Pass As Amended, SB 28-Do Pass As Amended,  
SB 30-Do Pass

**HEARING ON SR 2**

**Opening Statement by Sponsor:**

00:01:04 Sen. Nels Swandal (R), SD 30, opened the hearing on SR 2, Senate resolution regarding litigation involving the Senate confirmation process.

**Proponents' Testimony:**

None

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:04:47 Sen. Sands  
00:05:03 Sen. Swandal  
00:07:04 Sen. Moe  
00:07:21 Sen. Swandal  
00:08:08 Sen. Fielder  
00:08:42 Sen. Swandal

**Closing by Sponsor:**

00:10:01 Sen. Swandal

**EXECUTIVE ACTION ON SB 17**

00:10:37 **Motion:** Sen. Swandal moved that **SB 17 DO PASS.**

00:11:42 **Motion:** Sen. Swandal moved that **SB 17 BE AMENDED.**  
[EXHIBIT\(jus07a01\)](#)

**Discussion:**

00:12:57 Sen. Moe

00:13:13 **Motion:** Sen. Swandal moved that **SB 17 BE AMENDED with a CONCEPTUAL AMENDMENT FOR PAGE 1, LINE 6, "AND" TO BE REPLACED BY "OR" and ALSO FOR PAGE 2, LINE 6, "AND" TO BE REPLACED BY "OR".**

00:14:10 **Vote:** Motion carried unanimously by voice vote.

00:14:18 **Motion:** Sen. Swandal moved that **SB 17 DO PASS AS AMENDED.**

**Discussion:**

00:14:33 Sen. Sands

00:15:14 **Vote:** Motion carried unanimously by roll call vote.

**EXECUTIVE ACTION ON SB 28**

00:15:50 **Motion:** Sen. Vincent moved that **SB 28 DO PASS.**

00:16:31 **Motion:** Sen. Vincent moved that **SB 28 BE AMENDED.**  
**EXHIBIT(jus07a02)**

00:17:07 Sen. Swandal left the hearing room.

00:19:20 **Vote:** Motion carried unanimously by roll call vote. Sen. Swandal voted by proxy.

00:20:12 **Motion:** Sen. Vincent moved that **SB 28 DO PASS AS AMENDED.**

**Discussion:**

00:20:27 Sen. Moe

00:24:32 Sen. Fielder

00:25:17 Sen. Vincent

00:28:26 Sen. Hinkle

00:29:01 **Vote:** Motion carried 7-4 by roll call vote with Sen. Gross, Sen. MacDonald, Sen. Moe and Sen. Sands voting no. Sen. Swandal voted by proxy.

**EXECUTIVE ACTION ON SB 30**

00:29:52 **Motion:** Sen. Sands moved that **SB 30 DO PASS.**

**Discussion:**

00:31:22 Sen. Sales

00:31:46 Sen. Sands

00:32:05 Sen. Vincent

00:32:55 Sen. Sands

00:35:31 Sen. Vincent

00:35:46 Chairman Regier

00:36:25 Sen. Fielder

00:38:10 Sen. Sands

00:38:49 Sen. Moe

00:40:05     **Vote:** Motion carried 7-4 by roll call vote with Sen. Hinebauch, Sen. K. Regier, Sen. S. Sales and Sen. Vincent voting no. Sen. Swandal voted by proxy.

00:40:51     Chairman Regier

**ADJOURNMENT**

Adjournment: 10:43 A.M.

---

Pam Schindler, Secretary

ps

Additional Documents:

**EXHIBIT([jus07aad.pdf](#))**